United Nations Convention on the Law of the Sea SPLOS/184

Meeting of States Parties

Distr.: General
21 July 2008

Original: English

Eighteenth Meeting
New York, 13-20 June 2008

Report of the eighteenth Meeting of States Parties

Contents

		Paragraphs	*Page*
I.	Introduction	1–2	3
II.	Organization of work	3–7	3
	A. Opening of the eighteenth Meeting of States Parties and election of officers	3–6	3
	B. Adoption of the agenda and organization of work	7	4
III.	Report of the Credentials Committee	8–9	4
IV.	Matters related to the International Tribunal for the Law of the Sea	10–65	4
	A. Annual report of the Tribunal	10–29	4
	B. Draft budget proposals for 2009-2010	30–33	7
	C. Report on budgetary matters of the Tribunal for the financial periods 2005-2006 and 2007-2008	34–48	8
	D. Appointment of the auditor for the Tribunal for financial years 2009-2012	49–51	10
	E. Election of seven members of the International Tribunal for the Law of the Sea	52–65	11
V.	Information on the activities of the International Seabed Authority	66–78	12
VI.	Matters related to the Commission on the Limits of the Continental Shelf	79–99	14
	A. Information reported by the Chairman of the Commission	79–84	14
	B. Workload of the Commission and the ability of States, particularly developing States, to fulfil the requirements of article 4 of annex II to the Convention, as well as the decision contained in SPLOS/72, paragraph (a)	85–99	15
VII.	The allocation of seats on the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea	100–107	18

08-43205 (E) 220808

VIII.	Report of the Secretary-General under article 319 of the United Nations Convention on the Law of the Sea	108–119	19
IX.	Other matters	120–124	22
A.	Statement by Indonesia	120–122	22
B.	Statement by observer of the Intergovernmental Oceanographic Commission	123	22
C.	Statement by observer of the Seamen's Church Institute	124	22

I. Introduction

1. The eighteenth Meeting of States parties to the United Nations Convention on the Law of the Sea[1] was held in New York from 13 to 20 June 2008, in accordance with article 319, paragraph 2 (e), of the Convention and the decision taken by the General Assembly at its sixty-second session (resolution 62/215, para. 26).

2. In accordance with rule 5 of the Rules of Procedure for Meetings of States Parties (SPLOS/2/Rev.4), invitations to participate in the Meeting were addressed by the Secretary-General of the United Nations to all States parties to the Convention. In conformity with rules 18 and 37 of the Rules of Procedure, invitations were also addressed to observers, including States that have signed the Convention, States Members of the United Nations or members of specialized agencies of the United Nations system or the International Atomic Energy Agency, the President and the Registrar of the International Tribunal for the Law of the Sea, the Secretary-General of the International Seabed Authority and the Chairman of the Commission on the Limits of the Continental Shelf.

II. Organization of work

A. Opening of the eighteenth Meeting of States Parties and election of officers

3. Rosemary Banks (New Zealand), President of the seventeenth Meeting, opened the eighteenth Meeting. The Meeting observed a minute of silent prayer or meditation.

4. The Meeting elected Yuriy Sergeyev (Ukraine) President of the eighteenth Meeting of States Parties, by acclamation.

5. Paul Badji (Senegal), Dean Marc Bialek (Australia), Ana Cristina Rodríguez Pineda (Guatemala) and Shazelina Zainul Abidin (Malaysia) were elected Vice-Presidents of the eighteenth Meeting of States Parties, by acclamation.

Introductory remarks by the President

6. The President recalled the goal of universal participation in the Convention set by the General Assembly, and the annual appeal by the Assembly to all States that have not done so to become parties to the Convention and the implementing agreements. Noting that the number of parties to the Convention had not changed since the last Meeting, he emphasized that the international community would greatly benefit from a strong and universally supported and implemented international legal regime for the oceans, which was essential for the maintenance of international peace and security, as well as for the sustainable use of ocean resources, navigation and protection of the marine environment.

[1] United Nations, *Treaty Series*, vol. 1833, No. 31363.

B. Adoption of the agenda and organization of work

7. The President introduced the provisional agenda (SPLOS/L.54), which the Meeting adopted without amendments (SPLOS/178), taking into account the long-standing practice of the Meeting, according to which the order of items on the agenda was without prejudice to the order in which they would be taken up. The President then made proposals regarding the organization of work, which had been prepared taking into account the relevant decision of the seventeenth Meeting (SPLOS/162 and SPLOS/163). The Meeting approved the organization of work, on the understanding that it would remain open to adjustments as necessary in order to ensure the efficient conduct of the Meeting.

III. Report of the Credentials Committee

8. On 13 June 2008, pursuant to rule 14 of its Rules of Procedure, the Meeting appointed a Credentials Committee consisting of the following nine States parties: Brazil, Greece, Indonesia, Mongolia, Morocco, New Zealand, Slovenia, South Africa and Suriname. The Committee held its meeting on 13 June 2008.

9. On 13 June 2008, Miriam Angela Mac Intosh (Suriname), Chairperson of the Credentials Committee, introduced the report of the Committee (SPLOS/179). She stated that the Committee had examined and accepted the credentials of representatives to the eighteenth Meeting from 155 States parties to the Convention, including the European Community. The Meeting then approved the report of the Committee.

IV. Matters related to the International Tribunal for the Law of the Sea

A. Annual report of the Tribunal

10. Judge Rüdiger Wolfrum, President of the Tribunal, introduced the annual report for 2007 (SPLOS/174) and provided an overview of the work of the Tribunal during the two sessions held in 2007, namely the twenty-third session, held from 5 to 16 March 2007, and the twenty-fourth session, held from 17 to 28 September 2007, at which the Tribunal had dealt with a number of legal and judicial matters, as well as organizational and administrative issues. A substantial part of the sessions had been devoted to the review of its rules and judicial procedures and an examination of the competence of the Tribunal in maritime delimitation cases. The Tribunal also considered reports prepared by the Registry relating to legal issues concerning pipelines and genetic resources of the seabed. In addition, it considered issues related to proceedings for the prompt release of vessels and crews.

11. The President drew particular attention to the simultaneous handling by the Tribunal of two prompt release proceedings. This situation had occurred as a result of the simultaneous submission by Japan, on 6 July 2007, of two applications for urgent proceedings against the Russian Federation under article 292 of the Convention, in each of which Japan sought the release of a fishing vessel — the *Hoshinmaru* and the *Tomimaru*, respectively. The President reported that within only

one month from the institution of the two cases the Tribunal had delivered unanimous judgments, on 6 August 2007.

12. The President observed that the *Hoshinmaru* case provided an opportunity to elaborate on the Tribunal's already well-established jurisprudence relating to the reasonableness of bonds. This case was an example of the effectiveness of international dispute settlement, as the vessel and its crew had been released only 10 days after the Tribunal's judgment. In reference to the *Tomimaru* case, the President noted that the Tribunal had come to the conclusion that the application for prompt release had been without object, as the vessel had been confiscated by the detaining State. States were thus reminded of the importance of taking prompt action in such cases, either to exhaust the possibilities provided under the national judicial system of the detaining State, or to initiate the prompt release procedure before the Tribunal.

13. The President observed that the Tribunal had dealt with 15 cases so far, 13 of which had been instituted on the basis of the Tribunal's compulsory jurisdiction, and had established a reputation for the expeditious and efficient management of cases. In that context, the President noted that only 39 States parties had made declarations under article 287 of the Convention. He encouraged States to take greater advantage of the broad competence of the Tribunal and consider selecting it as their preferred forum for the settlement of disputes concerning the interpretation or application of the Convention.

14. The President emphasized that the Tribunal could also make an important contribution to the settlement of international disputes without coming to a final and binding judgment on the merits of a case. The institution of proceedings could in itself facilitate solving a dispute by negotiations between the parties. States parties could also benefit from the Tribunal's involvement in ways other than through contentious proceedings, such as by requesting the Tribunal to give an advisory opinion.

15. The President invited States to consider making a voluntary contribution to the trust fund established to assist States parties in the settlement of disputes through the Tribunal. He noted that the current balance of the trust fund was $104,412, following a contribution from Finland in 2007.

16. The President also informed the Meeting about the work of the Tribunal in promoting knowledge about the Convention and its dispute settlement procedures, recalling workshops held in Dakar, Libreville, Kingston and Singapore in 2006 and 2007, which had been organized in cooperation with the International Foundation for the Law of the Sea, and with the support of the Korea International Cooperation Agency (KOICA). In 2008, additional workshops had been held in Manama and Buenos Aires.

17. The President also recalled that the Tribunal had established a capacity-building and training programme on dispute settlement under the Convention with the support of the Nippon Foundation. From July 2007 to March 2008 participants from Bangladesh, Cameroon, Mauritania, Nigeria and Peru had taken part in the programme, and the Nippon Foundation had granted further funding so that the programme would continue in the biennium 2008-2009.

18. The President further informed the Meeting that the second Summer Academy of the International Foundation for the Law of the Sea would be held

from 3 to 31 August 2008 at the seat of the Tribunal. It would build on the success of the first Summer Academy, which had been held from 29 July to 26 August 2007 on the topic "Uses and protection of the sea — legal, economic and natural science perspectives". Some of its participants had benefited from grants offered by KOICA and the Nippon Foundation. The President called the attention of the Meeting to the Tribunal's internship programme, which had been established in 1997 and involved 179 interns from 63 States. In 2007, 19 individuals had participated in the programme, 15 of whom had benefited from the grant provided by KOICA.

19. Turning to the subject of the status of the Agreement on the Privileges and Immunities of the Tribunal, the President reported that six States had become parties to the Agreement in 2007 (Belgium, Chile, Germany, Greece, Poland and the Russian Federation), bringing the total number of parties to 35. He underscored that, in its resolution 62/215, the General Assembly had recommended to States that had not yet done so to consider ratifying or acceding to the Agreement.

20. The President noted that the Tribunal had continued to develop its relations with other international organizations and bodies, and indicated that an administrative arrangement on cooperation had been concluded with the Food and Agriculture Organization of the United Nations in 2007. He also highlighted that on 3 May 2008, the "Award for meritorious contribution towards the development, interpretation and implementation of international maritime law" had been bestowed upon the Tribunal by the International Maritime Organization and the International Maritime Law Institute.

21. Regarding staff appointments, the President observed that in its resolution 62/215 the General Assembly had welcomed the actions taken by the Tribunal in observance of its staff rules and regulations and, in particular, its endeavour to recruit the staff on as wide a geographical basis as possible.

22. Lastly, with respect to the budget of the Tribunal, the President informed the Meeting that, as at 10 June 2008, there was an unpaid balance of assessed contributions in relation to the budgets of the Tribunal for the bienniums 1996-1997 to 2005-2006 in the amount of €547,520, and the outstanding amount in relation to the 2007-2008 budget was €3,460,354. The President pointed out that notes verbales had been sent in that regard to all States parties concerned. He also reminded the Meeting of the appeal made by the General Assembly in resolution 62/215 that States parties pay their assessed contributions to the Tribunal in full and on time.

23. Following the statement by the President of the Tribunal, several delegations expressed appreciation for the comprehensive report of the Tribunal and highlighted the important role of the Tribunal. It was noted that the Tribunal had made a significant contribution to the settlement of disputes by peaceful means and to the development of the law of the sea, and that it had built a reputation for the efficient and speedy management of cases. One delegation encouraged further declarations under article 287 of the Convention to accept the Tribunal as the preferred forum for the settlement of disputes.

24. Several delegations also highlighted the award presented to the Tribunal by the International Maritime Organization, which acknowledged the important contribution of the Tribunal to international law. One delegation welcomed the efforts of the Tribunal to recruit staff on a wide geographical basis and encouraged the Tribunal to uphold that objective.

25. Several delegations recognized the efforts of the Tribunal in the recent prompt release cases and noted the effectiveness of such proceedings. It was stated that the issue of honouring the time frame for prompt release proceedings, as set by the Rules of the Tribunal, should be addressed in order to find a solution that would enable the Tribunal to handle simultaneous prompt release cases. One delegation noted that simultaneous proceedings placed a burden on the parties and on the Tribunal.

26. With respect to the budget of the Tribunal, several delegations expressed concern that, as at 31 December 2007, 57 States parties had not made any payments regarding their assessed contributions for 2007, and that the balance of unpaid contributions to the overall budget of the Tribunal was more than €1.5 million. The delegations in question called upon States parties to honour their commitments and pay outstanding contributions in full and on time.

27. Several delegations welcomed the capacity-building and training activities of the Tribunal, in particular the regional workshops on the settlement of disputes, which enabled Governments to further develop their knowledge of the Tribunal's proceedings. A delegation also recognized the support of KOICA in the work of the Tribunal in that regard.

28. Following those interventions, the President noted that the Tribunal was considering amendments to its Rules to address the issue of the simultaneous handling of prompt release proceedings to ensure that the situation was not likely to recur.

29. The Meeting took note with appreciation of the annual report of the Tribunal for 2007.

B. Draft budget proposals for 2009-2010

30. The President of the Tribunal introduced the draft budget proposals for the Tribunal for the period 2009-2010 (SPLOS/2008/WP.1), the total of which amounted to €17,765,100 (see annex I to SPLOS/2008/WP.1) and represented an increase of €550,400 compared to the budget approved for the 2007-2008 period.

31. The President underlined that budgetary increases had been made only where absolutely necessary and that, whenever possible, the budget remained equivalent, in euro value, to the 2007-2008 budget. Elaborating on various budget lines, the President specified which among them had increased, decreased or remained unchanged in relation to the 2007-2008 budget. He underscored that the increases had been due to factors beyond the Tribunal's control, including changes in the United Nations standard salary costs and the applicable daily subsistence allowance for Hamburg, as well as a projected increase in the number of judges entitled to receive a pension.

32. The President also noted that considerable savings had been achieved through the holding of sessions in conjunction with proceedings in cases submitted to the Tribunal, and that, whenever possible, such practices would be followed in the future.

33. In conformity with rule 54 of the Rules of Procedure, the Meeting established an open-ended working group on financial and budgetary matters, chaired by the

President of the Meeting, with a view to reviewing the proposed budget and other budgetary matters of the Tribunal and making recommendations to the Meeting. On the basis of the recommendations of that working group (SPLOS/L.55), the meeting adopted a decision in which it approved the budget of the Tribunal for 2009-2010 (SPLOS/180). Following the adoption of that decision, one delegation, while not objecting to the adoption of the budget, reiterated the necessity for adherence to the zero-growth budget principle.

C. Report on budgetary matters of the Tribunal for the financial periods 2005-2006 and 2007-2008

34. The President of the Tribunal introduced the report on budgetary matters for the financial periods 2005-2006 and 2007-2008 (SPLOS/175), covering the issues outlined below.

Surrender of cash surplus for the financial period 2005-2006

35. The President stated that, in accordance with regulations 4.3 and 4.4 of the Financial Regulations of the Tribunal, the Registrar had determined that, as at 31 December 2007, the final cash surplus for the period 2005-2006 was €1,232,340 (see SPLOS/175, paras. 2-5), and that that figure had been reviewed and certified by the auditor on 28 February 2008 (SPLOS/175, para. 6 and annex I). Furthermore, the Tribunal had decided on 14 March 2008, in accordance with financial regulation 4.5, that the surplus would be surrendered and deducted from the contributions of States parties for 2009, and earlier financial periods, where applicable (see SPLOS/175, para. 8).

Provisional performance report 2007

36. The President recalled that the sixteenth Meeting had approved a budgetary amount of €17,214,700 for 2007-2008, with €8,588,298 allotted for 2007. As at March 2008, the provisional total expenditure for 2007 stood at €7,414,250 (see SPLOS/175, annex II). That represented 86.33 per cent of the amount of appropriations approved for 2007. The underperformance could largely be explained by the fact that two prompt release cases, namely, the *Hoshinmaru* and the *Tomimaru*, had been submitted simultaneously to the Tribunal in July 2007 and had both been dealt with within one month, a period of time normally allocated to one urgent case. That had resulted in savings amounting to €672,008 under "Case-related costs". In addition, €231,658 in savings had been realized under "Staff costs" as a consequence of vacant positions in the Registry. The President also noted that, if the case-related costs had been excluded, the performance rate for other costs in 2007 would have reached 93.2 per cent (see SPLOS/175, para. 11).

Report on action taken pursuant to the decisions on budgetary matters for the financial period 2007-2008 taken by the sixteenth and seventeenth Meetings of States Parties

37. The President reported that in accordance with the decision taken by the sixteenth Meeting (SPLOS/146), €312,684 had been deducted from the contributions of States parties for 2007 and for earlier periods, where applicable. Similarly, in accordance with the decision taken by the seventeenth Meeting

(SPLOS/161), €626,385 had been deducted from the contributions of States parties for 2008 and for earlier periods, where applicable.

Overexpenditures in 2007

38. The President explained that the budget line "Reimbursement of national taxes" had been overrun by €10,563 in 2007, owing to an increase in the national income tax liabilities of two staff members. However, since no staff members would be liable for national income tax during 2008, the 2007 overrun was not considered an overexpenditure, as it would be offset by using the amount appropriated in the same budget line for 2008.

Report on action taken pursuant to the Financial Regulations of the Tribunal

39. The President outlined the actions taken pursuant to the Financial Regulations of the Tribunal with respect to: (a) investments of funds of the Tribunal; (b) the KOICA trust fund; and (c) the Nippon Foundation trust fund (see SPLOS/175).

40. With respect to the investment of funds, which related to €139,683 in interest from short-term investments made during 2007, the President indicated that they had been credited as miscellaneous income in accordance with financial regulation 9.2.

41. The President further explained that the KOICA trust fund was a special fund created in 2004 through a grant made by KOICA to support the Tribunal's internship programme, regional workshops and the Summer Academy at the Tribunal. He further informed the meeting that KOICA had made an additional contribution of $200,000 in 2008, and expressed his deep appreciation to KOICA in that regard.

42. In March 2007, the Nippon Foundation Grant had been established through the signature of an agreement between the Nippon Foundation of Japan and the Tribunal for the implementation of the capacity-building and training programme on dispute settlement under the United Nations Convention on the Law of the Sea. Pursuant to that agreement, the Nippon Foundation had contributed an initial amount of €200,000 in 2007 and made a second contribution in the amount of €200,000 in 2008. The President expressed his deep gratitude to the Nippon Foundation in that regard.

New salary system for judges at international courts and tribunals

43. The President drew the attention of the Meeting to the new salary system for judges at the International Court of Justice and at two international criminal tribunals, the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, which had recently been adopted by the General Assembly (see General Assembly decision 62/547 and the report of the Secretary-General, A/62/538). He further outlined the details of the new system as presented under "Other matters" in document SPLOS/175.

44. As General Assembly decision 62/547 had been taken after the March 2008 session of the Tribunal, the President noted that the Tribunal had not yet given the decision due consideration, but intended to do so at its next two sessions and to submit its proposals on the matter to the next Meeting.

45. Following the introduction of the report, one delegation requested clarification as to the cost estimates of the pension and inquired about comparison between the allocations as contained in the 2009-2010 budget and the previous one. The Registrar stated that the budget proposal was for €17,515,100, and noted that the increase in the proposed budget compared with the 2007-2008 budget was roughly 1.7 per cent, that is, less than the level of inflation in Germany, which was 2.1 per cent.

46. A delegation noted General Assembly decision 62/547 with respect to the salaries of judges of the International Court of Justice and indicated that, as far as the Tribunal was concerned, such issues should be addressed through the Meeting of States Parties. That delegation further noted that salaries for the judges of the Tribunal had been increased as an interim measure and in conjunction with a request for a report from the Tribunal (see SPLOS/132, para. 1). The delegation requested clarification as to the status of that report and further expressed the opinion that any proposals should take into account decisions taken during the Meeting of States Parties.

47. The President of the Tribunal reiterated that since General Assembly decision 62/547 had been adopted after the meeting of the Tribunal, the Tribunal had not yet considered its potential implications. He took note of the concerns expressed and noted that the past practice of the Tribunal in that regard had been to follow the guidelines of the International Court of Justice.

48. Matters related to the report on budgetary matters of the Tribunal for the financial periods 2005-2006 and 2007-2008 were further considered by the working group on financial and budgetary matters. Upon its recommendations, the Meeting took note of that report taking due note of the concern expressed by the European Community regarding the implementation of regulation 4 of the Financial Regulations of the Tribunal.

D. Appointment of the auditor for the Tribunal for financial years 2009-2012

49. The President of the Tribunal recalled regulation 12.1 of the Financial Regulations of the Tribunal, pursuant to which "the Meeting of States Parties shall appoint an Auditor, which may be an internationally recognized firm of auditors, an Auditor General or an official of a State party with an equivalent title. The Auditor shall be appointed for a period of four years and its appointment may be renewed. The Tribunal may make proposals regarding the appointment of the Auditor".

50. The President of the Tribunal emphasized that the document entitled "Appointment of Auditor for financial years 2009-2012" (SPLOS/176, had been prepared by the Registry of the Tribunal in the light of that provision and was intended solely to provide the Meeting with information in the event that the Meeting decided to appoint as auditor an internationally recognized firm of auditors.

51. The Meeting decided to proceed with further consideration of that matter within the working group on financial and budgetary matters. Following a discussion, the working group recommended to the Meeting to select the lowest bidder, the BDO Deutsche Warentreuhand firm of auditors, taking into account the intention of some delegations to make proposals regarding the need for rotation of

financial auditors. The Meeting then decided to appoint the firm BDO Deutsche Warentreuhand AG as the financial auditor for the next four-year period.

E. Election of seven members of the International Tribunal for the Law of the Sea

52. On 13 June 2008, the Meeting proceeded with the election of seven members of the Tribunal to fill the places of those members whose terms of office would expire on 30 September 2008 (SPLOS/171 and SPLOS/172). The elections were held in accordance with article 4, paragraph 4, of the Statute of the Tribunal (annex VI to the Convention), which provides, inter alia, that the members of the Tribunal shall be elected by secret ballot, that two thirds of the States parties shall constitute a quorum at that meeting, and that the persons elected to the Tribunal shall be those nominees who obtain the largest number of votes and a two-thirds majority of the States parties present and voting, provided that such majority includes a majority of the States parties.

53. The President recalled that on 12 December 2007 an invitation for nominations had been addressed to all States parties in accordance with article 4 of the Statute. Fifteen candidates had been nominated (SPLOS/171 and SPLOS 173). The President also recalled that, by a note verbale dated 26 March 2008, the Embassy of the Federal Republic of Nigeria in Berlin had informed the Registrar of the Tribunal of the decision of the Government of Nigeria to withdraw the nomination of Emmanuel Oladeinde Sanyaolu (SPLOS/171/Add.1) and that, by a note verbale dated 16 April 2008, the Ministry of Foreign Affairs, Cooperation, Francophonie and Regional Integration of Gabon had informed the Registrar of the Tribunal of the decision of the Government of Gabon to withdraw the nomination of Jean-Marie Ntoutoume (SPLOS/171/Add.2). The President informed the Meeting that, subsequently, communications had been received from Cameroon and the Sudan concerning the withdrawal of the candidates nominated by them, Paul Bamela Engo and Ali Mohamed Elzaki, respectively. Prior to the start of the elections, the representative of Mali made a statement, informing the Meeting of the withdrawal of the nomination of Salifou Fomba (Mali).

54. The President outlined the procedure for voting, recalling, inter alia, that the seventeenth Meeting had reached an understanding according to which, for the purpose of electing the seven members of the Tribunal, and without prejudice to the outcome of deliberations on the agenda item entitled "The allocation of seats on the Commission and the Tribunal", the regional allocation of seats for that election would be as follows: two members from the Group of African States; two members from the Group of Asian States; one member from the Group of Eastern European States; one member from the Group of Latin American and Caribbean States and one member from the Group of Western European and other States (see SPLOS/164, para. 96 and SPLOS/172, para. 10).

55. The elections required three rounds of balloting, during which members of the delegations of Egypt, Haiti, Nepal, Portugal and Slovenia acted as tellers.

56. In the first round of balloting, the results were as follows:

57. For the Group of African States, out of 152 ballots cast, with 5 invalid ballots and 1 abstention, a majority of 98 votes was required for election. None of the four candidates obtained the required majority of votes.

58. For the Group of Asian States, out of 152 ballots cast, with 1 invalid ballot and no abstentions, a majority of 101 votes was required for election. Having obtained the required majority of votes, the following candidates were elected: P. Chandrasekhara Rao (India) (109 votes) and Joseph Akl (Lebanon) (106 votes).

59. For the Group of Eastern European States, out of 152 ballots cast, with no invalid ballots and 9 abstentions, a majority of 96 votes was required for election. Having obtained the required majority of votes, Vladimir Vladimirovitch Golitsyn (Russian Federation) (143 votes) was elected.

60. For the Group of Latin American and Caribbean States, out of 152 ballots cast, with no invalid ballots and 6 abstentions, a majority of 98 votes was required for election. Having obtained the required majority of votes, Vicente Marotta Rangel (Brazil) (146 votes) was elected.

61. For the Group of Western European and other States, out of 152 ballots cast, with no invalid ballots and 11 abstentions, a majority of 94 votes was required for election. Having obtained the required majority of votes, Rüdiger Wolfrum (Germany) (141 votes) was elected.

62. Thus, five candidates were elected in the first round.

63. A second round of balloting was held for the Group of African States. Out of 151 ballots cast, with no invalid ballots and no abstentions, a majority of 101 votes was required for election. Having obtained the required majority of votes, Boualem Bouguetaia (Algeria) (114 votes) was elected.

64. A third round of balloting was required for the Group of African States. Out of 135 ballots cast, with 9 invalid ballots and 1 abstention, a majority of 90 votes was required for election. Having obtained the required majority of votes, José Luis Jesus (Cape Verde) (96 votes) was elected.

65. After the completion of the voting process, the President announced the election of the following seven judges of the Tribunal for a term of nine years commencing on 1 October 2008: Joseph Akl (Lebanon), Boualem Bouguetaia (Algeria), Vladimir Vladimirovitch Golitsyn (Russian Federation), José Luis Jesus (Cape Verde), Vicente Marotta Rangel (Brazil), P. Chandrasekhara Rao (India) and Rüdiger Wolfrum (Germany). On behalf of the Meeting parties, the President congratulated them on their election.

V. Information on the activities of the International Seabed Authority

66. Satya Nandan, the Secretary-General of the Authority, informed the Meeting of the activities carried out by the Authority during the past 12 months.

67. The Secretary-General informed the meeting that, for the first time, two applications for approval of plans of work for exploration for polymetallic nodules in the areas reserved for the Authority had been submitted by private sector entities of developing States. He noted that that demonstrated confidence by the private

sector in the regime established by the Convention, and that commercial mining was rapidly moving closer to reality. During the fourteenth session of the Authority, the applications had been considered by the Legal and Technical Commission, which would continue its consideration at the next possible opportunity before submitting a recommendation in relation to the applications to the Council of the Authority.

68. During the fourteenth session of the Authority, the Legal and Technical Commission had also commenced consideration of a proposal to set aside areas of the seabed in the main nodule province of the Pacific Ocean for the purposes of maintaining their ecological integrity and balance. The proposal was a follow-up to a recommendation of the Kaplan project, which had presented its final report in 2007, to establish criteria for a representative network of areas where exploration of mining activities would not take place. The Legal and Technical Commission had requested its subgroup of ecological and legal experts to continue working, with the assistance of the Secretariat, with a view to formulating a complete proposal for the consideration of the Legal and Technical Commission at the session of the Authority in 2009.

69. The Secretary-General of the Authority then reported that the Council had made progress on the draft regulations for prospecting and exploration for polymetallic sulphides in the International Seabed Area. Key issues of concern included the definition and configuration of the area to be allocated to contractors for exploration, the fees to be paid to the Authority and the question of how to deal with possible overlapping claims. More work was still needed on the draft regulations at the next session, with a view to their adoption.

70. In relation to administrative and legal developments, the Secretary-General addressed the issue of ratification of the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea by States parties to the Convention. Even though during the past 12 months two new States, Brazil and Uruguay, had become parties to the Part XI Agreement, 23 States parties to the Convention had still not ratified that Agreement.

71. Addressing the matter of outstanding contributions to the budget of the Authority, the Secretary-General of the Authority welcomed the payment of arrears by a number of States, while at the same time expressing his concern over the considerable number of States that were still in arrears. He noted that, in adopting the budget and scale of assessed contributions for 2009-2010, the Council and the Assembly of the Authority had appealed to the Members of the Authority to pay their contributions for previous years and to pay future contributions on time and in full. Attendance at the meetings of the Authority also remained an issue of concern and Members of the Authority were invited to participate in and support the work of the Authority.

72. The Secretary-General of the Authority informed the Meeting that his term of office would expire on 31 December 2008 and that, at its fourteenth session, the Assembly had elected Nii Allotey Odunton (Ghana), Deputy to the Secretary-General of the Authority, as his successor.

73. In the discussion following the statement by the Secretary-General of the Authority, several delegations expressed support for the work of that organization. Many delegations expressed their appreciation to Satya Nandan for his contribution to the work of the Authority in his 12 years of dedicated service as its Secretary-

General, as well as for his invaluable contribution to the development of the international legal regime for the oceans. The President of the Meeting as well as many delegations congratulated Nii Allotey Odunton on his election to serve as the next Secretary-General of the Authority.

74. Some delegations underlined the importance of marine scientific research in the International Seabed Area, emphasizing that scientific and environmental knowledge of the Area is essential for the work of the Authority. Several delegations also highlighted the need to complete negotiations on the regulations on prospecting and exploration of polymetallic sulphides and cobalt-rich manganese crusts, and expressed concerns over the low level of attendance at the meetings of the Authority and the number of States that were still in arrears.

75. Several delegations welcomed the decision of the Government of Jamaica to allocate funds for the refurbishment of the headquarters of the Authority and the Jamaica Conference Centre, as well as the activities of the secretariat of the Authority undertaken with a view to drawing the attention of the donor community to the Endowment Fund for Marine Scientific Research. The final report of the Kaplan project was also welcomed by several delegations.

76. Some delegations addressed the issue of ratification of the Protocol on Privileges and Immunities of the International Seabed Authority and the essential protection that it provided to representatives of the members of the Authority in the independent exercise of their functions.

77. Nigeria announced that it would host a workshop entitled "Exploration and exploitation of cobalt-rich ferromanganese crusts and polymetallic nodules: prospects and challenges for the African region", in collaboration with the Authority, from 21 to 23 July 2008. One delegation noted with satisfaction the appointment of an advisory panel for the Endowment Fund for the promotion of collaborative marine scientific research in the International Seabed Area.

78. The Meeting then took note with appreciation of the information reported by the Secretary-General of the Authority.

VI. Matters related to the Commission on the Limits of the Continental Shelf

A. Information reported by the Chairman of the Commission

79. The Chairman of the Commission, Alexandre Tagore Medeiros de Albuquerque, made a statement in which he informed the Meeting of the activities carried out by the Commission since the seventeenth meeting of States Parties, held in June 2007 (see CLCS/56 and CLCS/58). His statement was based on the letter dated 18 April 2008 addressed to the President of the eighteenth Meeting (SPLOS/177).

80. Following the statement by the Chairman, several delegations commended the important work of the Commission and congratulated Mr. Albuquerque on his election, in August 2007, as Chairman of the Commission. They welcomed the adoption, at the twenty-first session of the Commission, of recommendations relating to the submission made by Australia. The delegations of Barbados and

Mexico stated that they were looking forward to working with the Commission and its subcommissions in relation to their recent submissions.

81. Several delegations requested further details on the information reported by the Chairman regarding the changes adopted by the Commission to its Rules of Procedure. The Chairman explained that, with a view to facilitating expeditious consideration of the submissions through interactions with the delegations of the submitting State, the Commission had deliberated on certain rules of procedure during the last few sessions. All the changes adopted by the Commission were reflected in the previous statements of the Chairman following the session of the Commission. During the twentieth session of the Commission, all of those changes had been consolidated and reviewed by the editorial committee of the Commission and were now contained in a new document bearing the symbol CLCS/40/Rev.1.

82. In statements made in connection with the statement of the Chairman of the Commission, some delegations also addressed matters related to the workload of the Commission and the ability of States, particularly developing States, to fulfil the requirements of article 4 of annex II to the Convention, as well as the decision contained in SPLOS/72, paragraph (a). They also emphasized the importance of assistance to developing States in the preparation of their submissions (for further information see section B below).

83. The Meeting took note with appreciation of the information reported by the Chairman of the Commission.

84. The President of the Meeting made a statement in which he recalled paragraph 6 of the letter from the Chairman of the Commission, according to which, since the election of the present membership of the Commission, one member of the Commission from the Group of Eastern European States had not assumed his functions and had not made the solemn declaration as required by the rules of procedure of the Commission, and no communication had been received from him. The President then proposed, on the basis of his consultations, that the Meeting should adopt a decision on the vacancy in the Commission. The President stated that the decision would provide that, unless the elected member assumed his functions and made the solemn declaration at the forthcoming twenty-second session of the Commission, the seat in the Commission for the Group of Eastern European States should be deemed vacant and the election to fill that vacancy for the remainder of the term of office should be held prior to the twenty-third session of the Commission in March-April 2009. On the basis of that proposal, the Meeting then adopted the decision entitled "Decision on the vacancy in the Commission on the Limits of the Continental Shelf" without a vote (SPLOS/181).

B. Workload of the Commission and the ability of States, particularly developing States, to fulfil the requirements of article 4 of annex II to the Convention, as well as the decision contained in SPLOS/72, paragraph (a)

85. At the proposal of the President, the Meeting decided to address agenda item 10 (b) (Commission on the Limits of the Continental Shelf: workload of the Commission) in conjunction with agenda item 15 (The ability of States, particularly developing States, to fulfil the requirements of article 4 of annex II to the

Convention, as well as the decision contained in SPLOS/72, paragraph (a)), as they were seen as substantively related.

86. The President drew the attention of the Meeting to the note by the Secretariat entitled "Issues related to the workload of the Commission on the Limits of the Continental Shelf — tentative dates of submissions" (SPLOS/INF/20 and Add.1 and 2).

87. During the deliberations on these items, delegations made statements with regard to a number of topics, addressing both legal and technical issues.

88. Several delegations stated that, as provided for in article 77, paragraph 3, of the Convention, the rights of the coastal State over the continental shelf do not depend on occupation, effective or notional, or on any express proclamation. Consequently, according to those delegations, a failure by a coastal State to meet its 10-year time period required by article 4 of annex II to the Convention would not deprive it of its entitlement over the continental shelf beyond 200 nautical miles.

89. The delegations then focused on difficulties faced by a number of developing States in connection with the 10-year time period for making a submission to the Commission, which for many of these States ends in May 2009, and on identifying a solution of a practical nature. The impending expiration of the 10-year time period for many States was addressed also in connection with the projected workload of the Commission. According to several delegations, in view of the high volume of submissions that the Commission was expected to receive in the coming months, a pragmatic approach should be taken vis-à-vis those States that did not seem to be in a position to make their submission within that time frame.

90. Several delegations noted that the existence of a clear time frame for submissions to the Commission furthered the goal of legal certainty in relation to maritime boundaries. They also pointed out that the resulting delineation of the boundaries of the Area would facilitate the future work of the Authority. However, numerous delegations from both developing and developed States acknowledged that some developing States experienced difficulties in preparing submissions to the Commission consistent with the requirements of the Scientific and Technical Guidelines within the prescribed time frame. Those difficulties did not result from unwillingness on the part of the States parties concerned to comply with the Convention, but rather from a lack of resources in terms of scientific and technical know-how, access to repositories of existing bathymetric and scientific data and financial means. Some delegations expressly indicated that they were not in a position to make a submission to the Commission within their 10-year time period, whereas one delegation stated its uncertainty that it could meet the said time frame. Some delegations maintained that the technical challenges inherent in the preparation of a submission to the Commission had been worsened by the difficulty of finding consultants and survey vessels since, with the approach of the end of the 10-year time period for many States parties, their availability had decreased and their costs had escalated. Several delegations addressed the issue of data and resources already available internationally.

91. A number of options on how to address the issue were put forward by delegations. However, it was generally agreed that, regardless of which of these options was accepted, the Meeting should take its decision by means of consensus, in conformity with the practice of the Third United Nations Conference on the Law

of the Sea and of the Meeting. The need to preserve the integrity of the Convention was emphasized and States parties that were in a position to do so were encouraged to make every effort to submit information to the Commission within their 10-year time period.

92. Some delegations made statements to complete the information provided in the note by the Secretariat (SPLOS/INF/20 and Add.1 and 2). Bangladesh informed the Meeting that it intended to make a submission in mid-2011, and Mauritius indicated that it would make a submission by May 2009. The representative of South Africa stated that even though the Government had originally indicated that it would make two partial submissions, it would in fact make one complete submission. The representative of Uruguay specified that his Government intended to make a submission by the end of August 2008. The representative of Oman confirmed the intention of that Government to make a submission to the Commission.

93. In their statements, delegations also focused on assistance to developing States in the preparation of their submissions. Several delegations stressed the importance of capacity-building and expressed gratitude to the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs, as well as to the Global Resource Information Database (GRID)-Arendal and the Commonwealth Secretariat, for their respective capacity-building efforts. Appreciation was expressed also to States that had provided support to developing countries, directly or through contributions to the trust fund for the purpose of facilitating the preparation of submissions to the Commission on the Limits of the Continental Shelf for developing States, in particular the least developed countries and small island developing States, and compliance with article 76 of the United Nations Convention on the Law of the Sea. In that connection, some delegations called for further contributions to the trust fund, while others indicated their intention to make future contributions.

94. Some delegations expressed appreciation for the recently established option to request financial assistance from the fund by way of grants, which addressed the difficulties of those States that might not be in a position to sustain the costs of a submission up front, and emphasized the importance of timely disbursement of the funds. It was noted that more widespread use of the trust fund would facilitate the finalization of submissions before May 2009. The importance of bilateral or multilateral cooperation among States was also highlighted. Some delegations recalled their current involvement or availability for involvement in direct technical assistance to developing States.

95. The projected workload of the Commission was in itself a source of concern for many delegations. Some delegations suggested that the Commission should consider more efficient ways to examine the submissions. In that connection, a delegation suggested that the Commission should proceed by way of establishing "precedents", which would then guide it in the examination of future submissions. According to that delegation, such precedents would have to be widely disseminated in order to facilitate the preparation of future submissions by coastal States. Delegations also enquired about the availability to all States of summaries of the recommendations already adopted by the Commission.

96. Many delegations emphasized that the need for an expeditious examination of a submission should not be at the expense of the thorough analysis of all data contained in a submission or of the opportunity for continuous interaction between coastal States and the Commission and its subcommissions.

97. Appreciation for the work of the Commission and of the Division, as the secretariat of the Commission, was expressed by several delegations.

98. Following the statements by the representatives of States parties and observers, the Chairman of the Commission recalled that one of the functions of the Commission was to provide scientific and technical advice, if requested by the coastal State concerned during the preparation of its submission, and reaffirmed the readiness of the Commission to assist States in that regard.

99. The Meeting decided to conduct further deliberations of these items in open-ended informal consultations under the chairmanship of Vice-President Dean Marc Bialek. As a result, a draft document was prepared and subsequently adopted by the Meeting as the "Decision regarding the workload of the Commission on the Limits of the Continental Shelf and the ability of States, particularly developing States, to fulfil the requirements of article 4 of annex II to the Convention, as well as the decision contained in SPLOS/72, paragraph (a)" (SPLOS/183).

VII. The allocation of seats on the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea

100. The seventeenth Meeting of States Parties adopted a decision on the allocation of seats on the Commission and the Tribunal (SPLOS/163) in which it decided, having considered the two joint proposals from the African and Asian States parties, that "further work on proposals for the allocation of seats would be required to adopt decisions at the commencement of the eighteenth Meeting of States Parties". The decision was adopted with the understanding that, for practical reasons, the election of seven judges of the Tribunal to be held at the eighteenth Meeting would take place on the basis of the existing arrangements.

101. At the eighteenth Meeting, under the item "The allocation of seats on the Commission and the Tribunal", the President of the seventeenth Meeting provided an overview of the negotiations that had taken place on the issue between the seventeenth and eighteenth Meetings, noting that despite all efforts, it had not been possible to reach a generally acceptable decision.

102. In the discussion, the Group of African States (represented by Egypt) and the Group of Asian States (represented by the Philippines) reiterated their position on the allocation of seats in the Tribunal and the Commission, as reflected in document SPLOS/163. They underlined that their proposal was not based on an assessment of the performance of the two bodies, but on the need to reflect fairly the increased number of States parties to the Convention from their groups. It was also underscored that their joint proposal was not intended to be permanent, but was subject to any future changes in the composition of States parties to the Convention and the proportional growth of any regional groups.

103. The representatives of all regional groups emphasized the importance of arriving at a decision based on consensus and the need to preserve the integrity of the Convention. Nevertheless, some delegations stated that the objective of reaching consensus should not stand in the way of making a decision.

104. The Chair of the Group of Western European and other States (Spain) reiterated a number of questions that the Group had posed during the intersessional consultations, in order to better understand the proposals put forward by the African and Asian Groups.

105. The Chairs of the five regional groups were invited by the President of the eighteenth Meeting to consult, with a view to identifying a generally acceptable solution. As those efforts did not yield satisfactory results, the Group of African States and the Group of Asian States introduced a draft decision on the allocation of seats on the Commission and the Tribunal (SPLOS/L.56). Another draft decision was introduced by the Group of Western European and other States (SPLOS/L.57).

106. As a result of further informal consultations, the eighteenth Meeting adopted a decision on the allocation of seats on the Commission and the Tribunal (SPLOS/182) in which it decided that it would have exhausted all efforts to reach a general agreement on the allocation of seats for the Commission and the Tribunal by the nineteenth Meeting of States Parties[2] and also decided to adopt a decision, during the commencement of the nineteenth Meeting, on the allocation of seats to the Commission and Tribunal, on the basis, inter alia, of the proposal of the Asian and African States parties contained in document SPLOS/L.56. In that regard, some delegations emphasized, and the Meeting concurred, that the first operative paragraph of that decision should not be understood as an interpretation of paragraph 2 of rule 52 (General agreement) of the Rules of Procedure.

107. Following the adoption of the decision, the representative of the Group of Western European and other States stated that it was the understanding of that Group that the decision was without prejudice to its legal position regarding the competence of the Meeting of States Parties to decide upon such a matter, and the requirement of consensus for the allocation of seats on the Commission and the Tribunal. He also stated that the Group of Western European and other States was of the view that the basis for any decision to be adopted on the allocation of seats might also include other new proposals, apart from the one made by the Group of African States and the Group of Asian States.

VIII. Report of the Secretary-General under article 319 of the United Nations Convention on the Law of the Sea

108. Under this agenda item, the Meeting had before it the annual report of the Secretary-General on oceans and the law of the sea (A/63/63). As in previous years, many delegations expressed their appreciation to the Secretary-General and to the Division for the useful and comprehensive document. Several delegations also reiterated that the Convention provided the legal framework for all activities in the oceans and seas.

109. A number of issues addressed in the report were noted and commented upon. With regard to the activities of the bodies established under the Convention, some delegations noted the usefulness of making a summary of the recommendations of the Commission available to all States. One delegation stressed that any question of a legal nature that the Commission might encounter when considering a submission

[2] The dates of the nineteenth Meeting are yet to be determined.

should be conveyed to the Meeting of States Parties. With regard to the work of the Tribunal, some delegations expressed the hope that more States would choose the Tribunal to adjudicate their maritime disputes, allowing the establishment of a set of precedents to be relied upon, particularly in the case of delimitation disputes.

110. In relation to maritime safety and security, a delegation indicated that maritime security was a goal that could be achieved only through an enhanced balance between the three pillars of sustainable development, namely, the protection of the environment, the eradication of poverty and the attainment of economic prosperity. Differing views were expressed on whether it was appropriate to address illegal, unreported and unregulated fishing in the context of maritime security. Some delegations supported a focused approach to maritime security, excluding broader issues such as human security. International efforts to suppress piracy and armed robbery against ships were welcomed, and further efforts to implement the relevant provisions of the Convention were called for. Some delegations noted that a number of factors led to smuggling and trafficking of human beings at sea, in particular, political conditions in the States of origin. Concern was expressed by some delegations with regard to the Proliferation Security Initiative and its conformity with the Convention.

111. With regard to marine biodiversity, several delegations welcomed the work done by the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction at its meeting held from 28 April to 2 May 2008, noting that the General Assembly was the appropriate forum to continue discussing that issue, without prejudice to discussions in other relevant forums. A delegation expressed the view that implementation of existing rights and obligations should be a priority, as should compliance with global and regional instruments. Some delegations noted the need for effective flag State implementation, port States measures and monitoring, control and surveillance systems in order to address the greatest threats to marine biodiversity, namely illegal, unreported and unregulated fishing and overfishing. A delegation also noted the need for improved governance, as well as continued scientific research and increased flow of scientific data and knowledge to developing countries. Another delegation expressed the hope that the report of the Group of Experts on the assessment of assessments would provide guidance on the way forward regarding the sustainable management of marine biodiversity beyond areas of national jurisdiction.

112. A delegation noted the increase in the number of parties to the United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and emphasized that that Agreement should serve as the model for the ongoing efforts to renew and reform regional fisheries management organizations, as had already occurred with the Northwest Atlantic Fisheries Organization.

113. In relation to marine genetic resources beyond areas of national jurisdiction, a delegation stated that the seabed, ocean floor and subsoil thereof and their resources in areas beyond national jurisdiction constituted the common heritage of mankind, and that there should be a fair and equitable distribution of the benefits arising from their use, whether for scientific or commercial purposes. A delegation stressed the

need to assess the current existing framework and tools before engaging in discussions on a new regime for their management.

114. In addition, delegations addressed the following issues: the conservation and management of marine living resources; the impacts of climate change on marine ecosystems; the consistency with the Convention of compulsory pilotage in straits used for international navigation; and the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects.

115. Several delegations reported on developments at the national level regarding maritime security, delimitation of maritime boundaries, the conservation and management of marine living resources, the protection of the marine environment and tsunami early warning systems.

116. At the regional level, Nigeria drew attention to its work with other States in the region to establish an integrated coastguard network under the auspices of the Maritime Organization for West and Central Africa, and to the commissioning of a Regional Maritime Rescue Coordination Centre as an information gathering and sharing hub for search and rescue activities in the subregion. Barbados reported on developments in the Caribbean region regarding maritime and airspace security as well as follow-up to General Assembly resolution 61/197, in particular, the establishment of a Caribbean Sea Commission, the seventh meeting of which was to be held in July 2008.

117. Noting that the renewal of the mandate of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea was to be discussed by the General Assembly at its sixty-third session, some delegations noted the usefulness of the Consultative Process as a forum for integrated discussion and exchange of domestic and international experiences, and expressed support for its renewal. One delegation stated that the work of the Consultative Process should be focused on its original objectives, as reflected in General Assembly resolution 54/33.

118. As in previous years, divergent views were expressed with regard to the mandate of the Meeting of States Parties to discuss matters of a substantive nature relating to the implementation of the Convention. One delegation informed the Meeting that it was considering proposing an amendment to the Rules of Procedure of the Meeting of States Parties with a view to requesting the Secretary-General to prepare a separate report to the Meeting. Another delegation pointed out that the General Assembly was the global forum with the mandate to undertake an annual substantive review and evaluation of the implementation of the Convention and other developments relating to ocean affairs and the law of the sea. Some delegations welcomed the suggestion to streamline the annual resolution of the General Assembly on oceans and the law of the sea.

119. The Meeting took note of the views expressed and decided to include the item "Report of the Secretary-General under article 319 for the information of States parties on issues of a general nature, relevant to States parties, that have arisen with respect to the United Nations Convention on the Law of the Sea" in the provisional agenda for the nineteenth Meeting.

IX. Other matters

A. Statement by Indonesia

120. The representative of Indonesia made a statement with a view to informing States parties to the Convention as well as observers about the initiative of the Government of Indonesia to convene a "World Ocean Conference" in Manado, North Sulawesi, Indonesia, from 11 to 15 May 2009. He invited all States parties and the observers to attend that Conference.

121. The Conference, which will have climate change and the oceans as its main theme, aims at developing a common understanding of and firm commitment to addressing the impact of climate change on the state of the world's oceans and at increasing understanding of the role of the oceans in determining the rate of global climate change. Its objective is to draw up an adaptive strategy for sustainable use of marine resources for the benefit of humankind.

122. The representative of Indonesia stated that the commitment of the world community to improve marine resource management with regard to global climate change impact management would be reflected in a "Manado Ocean Declaration", which would contain an agreement stressing the role of oceans in regulating climate change, as well as the importance of safeguarding the function of the oceans in the effort to mitigate and adapt to climate change.

B. Statement by observer of the Intergovernmental Oceanographic Commission

123. In accordance with rule 18, paragraph 4 of the Rules of Procedure, the representative of the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization was invited to address the Meeting as an observer. In her statement, she provided an update on the Indian Ocean Tsunami Warning System, mentioning national initiatives to strengthen it through the provision of data to ensure full regional coverage for tsunami and ocean-related hazards. In addition, she renewed the Commission's offer to provide assistance to States with regard to their obligations under article 76 of the Convention concerning the establishment of the outer limits of the continental shelf. In that connection, however, she noted that geological and geophysical data acquisition campaigns were not the object of such assistance.

C. Statement by observer of the Seamen's Church Institute

124. In accordance with rule 18, paragraph 4 of the Rules of Procedure, the representative of the Seamen's Church Institute was invited to address the Meeting as an observer. In his statement, he drew the attention of the Meeting to the worldwide difficulty in recruiting and retaining skilled and reliable persons for seagoing careers on merchant vessels. In that connection, he made reference to root causes of and possible solutions to the problem, including criminal exposure, maritime security, piracy and seafarers' rights.